

REMARKS

In response to the Office Action dated April 20, 2005, Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 1, 8, 15, 22 and 23 under the second paragraph of 35 U.S.C § 112. The Examiner is thanked for the courtesy of his telephone call, in which he explained the reasons for the continued rejection of the claims on this basis.

The rejection is based on the contention that the recitation in the third paragraph of claim 1, for example, that the second information is the "latest information" conflicts with the recitation in the fourth paragraph that the first information can be "later" than the second information. As explained by the Examiner, if the second information is the latest information, it is not clear how the first information could be considered to be later.

As discussed during the above-noted telephone conversation, the rejection is based upon a misunderstanding of the claim. The term "latest" in the third paragraph of claim 1 only applies to *previous* command data. In other words, out of all of the previously received sets of command data, the claim is referring to the one which is the most recent. In contrast, the fourth paragraph involves a comparison of the previous and current command data. Accordingly, it is respectfully submitted that the claim recitations are not inconsistent, since the current command data would normally be expected to be later than the previous command data.

However, in an effort to successfully conclude the prosecution of the application, various proposals were discussed for amending the claims to remove the basis for the rejection. The Examiner indicated that removal of the phrase "which is the latest information" from each of the independent claims would be acceptable, and permit him to

withdraw the rejection. Accordingly, the claims are being amended herein to conform with the agreement reached during the discussions.

It is respectfully submitted that the application is now in condition for allowance, and a notice to that effect is respectfully solicited.

Respectfully submitted,

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